

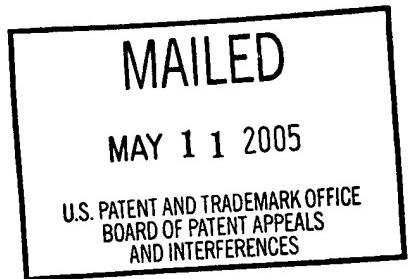
The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Ex parte MARK S. ABAD,
SCOTT E. ANDERSEN, PATRICE DUBOIS,
DEBBIE A. MAHADEO, and JAMES D. MASUCCI

Appeal No. 2005-1165
Application No. 09/696,664



REQUEST FOR SUSPENSION OF APPEAL

Before HARKCOM, Acting Chief Administrative Patent Judge

The Board is in receipt of appellants' request to suspend the appeal in this case pending the decision in In re Fisher, (Application No. 09/619,643, BPAI Appeal No. 2002-2046), pending before the Court of Appeals for the Federal Circuit. In considering the matter, it appears that a decision in the Fisher case will aid in the resolution of the issues pending in this appeal. Accordingly, the request is granted to the extent that the Board will postpone consideration of the appeal in this case pending a decision in In re Fisher. See, MPEP § 1213, 8th Edition, revision 2, at page 1200-31.

So ordered.


Gary V. Harkcom
Acting Chief Administrative Patent Judge

Lawrence M. Lavin, Jr.
Patent Department, E2NA
Monsanto Company
800 N. Lindbergh Boulevard
St. Louis, MO 63167

dem